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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/786,089

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Hiroaki Ono

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24956

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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

1800 DIAGONAL ROAD

SUITE 370

ALEXANDRIA, VA 22314

EXAMINER

FIELDS, COURTNEY D

ART UNIT

PAPER NUMBER

2437

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/786,089	Applicant(s) ONO ET AL.
	Examiner COURTNEY D. FIELDS	Art Unit 2437

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claim 5 has been amended.
2. Claims 2-5 are pending.

Response to Arguments

1. Applicant's arguments filed 14 November 2008 have been fully considered but they are not persuasive.
2. Referring to the rejection of claim 5, the Applicant contends that the prior art, Takahashi does not disclose, teach, nor suggest a reproduction start refusing means that is capable of refusing a reproduction start command directed to the main information reproducer. The Examiner respectfully disagrees and asserts that Takahashi discloses reproduction start command is directed toward a leading address of the search area which has been set and if the predetermined address position is reached, the reproducing operation for search is continued. (See Column 6, lines 66-67, Column 7, lines 1-14) If the reproduction start refuses the instructions, a command is issued to cancel the search operation or change the search mode for reproducing within an unrecorded memory area. (See Column 7, lines 9-25) Takahashi further discloses means for reproducing the main information by said main information reproducer (See Column 4, lines 48-56).
3. Referring to the rejection of claim 5, the Applicant contends that the prior art, Takahashi does not disclose, teach, nor suggest the reproduction start command can selectively be refused based on whether another element decides whether the reproduction disabling means is operating normally. The Examiner respectfully

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disagrees and asserts that Takahashi discloses a reproducing means for reproducing an information signal from a solid-state memory, the information signal being composed of a plurality of blocks each of which has a compressed image signal and additional information for disabling a normal reproduction of the compressed image signal stored in the solid state memory (See Column 3, lines 66-67- Column 4, lines 1-42)

4. Referring to the rejection of claim 5, the Applicant contends that the prior art, Takahashi does not disclose, teach, nor suggest the decision means for deciding whether the recording disabling function of said reproduction disabling means is normal. The Examiner respectfully disagrees and asserts that Takahashi discloses a recording means for forming an information signal composed of a plurality of blocks each of which has the compressed image signal and additional information for disabling a normal reproduction of the compressed image signal and for recording the information signal into a solid-state memory, wherein the normal reproduction of the compressed image signal from the solid-state memory is disabled according to the additional information of the plurality of blocks (See Column 6, lines 11-38)

5. Therefore, the rejection of claims 2-5 are maintained in view of the reasons above and in view of the reasons below.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

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by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 2-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi (US Patent No. 6,295,099).

Referring to the rejection of claim 2, Takahashi discloses the claimed limitation wherein the reproduction disabling means erases at least a portion of the main information recorded on said recording medium (See Column 4, lines 32-42)

Referring to the rejection of claim 3, Takahashi discloses the claimed limitation wherein the reproduction disabling means rewrites other information over at least a portion of the main information recorded on said recording medium (See Column 4, lines 46-57)

Referring to the rejection of claim 4, Takahashi discloses the claimed limitation wherein reproduction disabling means disables the main information, recorded on the

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recording medium, within a predetermined time after said main information reproducer reproduces the transmitted signal (See Column 9, lines 3-21)

Referring to the rejection of claim 5, Takahashi discloses an information management apparatus comprising:

a receiver which receives main information (See Column 3, lines 60-67, Column 4, lines 1-17)

a recorder which records the main information on a recording medium (See Column 4, lines 48-56)

a main information reproducer which reproduces the main information on a recording medium (See Column 4, lines 48-56)

wherein the reproduction management means is provided with a reproduction disabling means for disabling operation of the main information reproducer (See Column 4, lines 39-42)

wherein the reproduction disabling means comprises: (See Column 4, lines 39-42)

decision means for deciding whether the reproduction disabling function of the reproduction disabling means is normal (See Column 4, lines 39-42)

and a reproduction start refusing means for refusing a reproduction start command requesting start of an operation for reproducing the main information by said main information reproducer (See Column 4, lines 48-56), when the decision means

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decides that the reproduction disabling function of said reproduction disabling means is abnormal (See Column 6, lines 66-67, Column 7, lines 1-14)

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to COURTNEY D. FIELDS whose telephone number is (571)272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Courtney D. Fields/
Examiner, Art Unit 2437
February 24, 2009

/Nasser G Moazzami/
Supervisory Patent Examiner, Art Unit 2436